

#5

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

COPY OF PAPERS
ORIGINALLY FILED

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

A NEW TYROSINE RECOMBINASE FOR GENETIC ENGINEERING

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
☒ was filed in the United States on June 30, 2001 as Application No. 09/895,435 (for declaration not accompanying application)
with amendment(s) filed on (if applicable)
☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

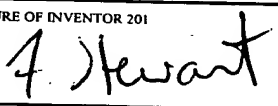
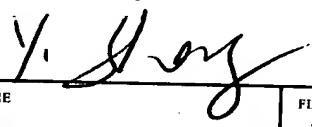
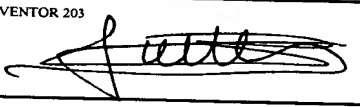
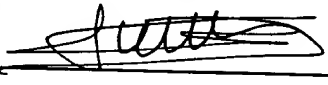
PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Stewart	FIRST NAME A.	MIDDLE NAME Francis	
	RESIDENCE & CITIZENSHIP	CITY Leimen	STATE OR FOREIGN COUNTRY Federal Republic of Germany	COUNTRY OF CITIZENSHIP Australia	
	POST OFFICE ADDRESS	STREET Laerchenweg 3	CITY Leimen	STATE OR COUNTRY Germany	ZIP CODE 69181
	SIGNATURE OF INVENTOR 201 			DATE 14.11.01	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Zhang	FIRST NAME Youming	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Heidelberg	STATE OR FOREIGN COUNTRY Federal Republic of Germany	COUNTRY OF CITIZENSHIP People's Republic of China	
	POST OFFICE ADDRESS	STREET Friedrich Ebert Anlage 51E	CITY Heidelberg	STATE OR COUNTRY Germany	ZIP CODE 69117
	SIGNATURE OF INVENTOR 202 			DATE 14.11.01	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Hallet	FIRST NAME Bernard	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Sombrefe	STATE OR FOREIGN COUNTRY Belgium	COUNTRY OF CITIZENSHIP Belgium	
	POST OFFICE ADDRESS	STREET rue Humerée 50	CITY Sombrefe	STATE OR COUNTRY Belgium	ZIP CODE 5140
	SIGNATURE OF INVENTOR 203 			DATE 06/11/01 	

ASSIGNMENT

WHEREAS, WE, A. Francis Stewart, and Youming Zhang, ASSIGNORS, respectively citizens of Australia and People's Republic of China, respectively residing at Laerchenweg 3, Leimen, Federal Republic of Germany 69181, and Friedrich Ebert Anlage 51e, Heidelberg, Federal Republic of Germany 69117, are co-inventors with Bernard Hallet, of the invention in A NEW TYROSINE RECOMBINASE FOR GENETIC ENGINEERING for which we have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐ _____
- ☒ which is identified by Pennie & Edmonds LLP docket no. 9882-012-999
- ☒ which was filed on June 30, 2001, Application No. 09/895,435

and WHEREAS, The European Molecular Biology Laboratory, having an address at Meyerhofstrasse 1, D-69117 Heidelberg, Federal Republic of Germany, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 14. Nov., 2001 A. Stewart L.S.
A. Francis Stewart

Date 14. NOV., 2001 J. Rientjes (JEANETTE RIENTJES)
Witnessed by

Date 14. NOV., 2001 M. Spiegel (MICHAEL SPIEGEL)
Witnessed by

Date 14. Nov., 2001 Y. Zhang L.S.
Youming Zhang

Date 14. NOV, 2001 J. Rientjes (JEANETTE RIENTJES)
Witnessed by

Date 14, Nov,, 2001 M. Spiegel (MICHAEL SPIEGEL)
Witnessed by

ASSIGNMENT

SOLE

WHEREAS, I, Bernard Hallet, ASSIGNOR, a citizen of Belgium, residing at rue Humeree 50, Sombrefe, Belgium 5140, am co-inventor with A. Francis Stewart and Youming Zhang, of the invention in **A NEW TYROSINE RECOMBINASE FOR GENETIC ENGINEERING** for which we have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐ _____
- ☒ which is identified by Pennie & Edmonds LLP docket no. 9882-012-999
- ☒ which was filed on June 30, 2001, Application No. 09/895,435

and WHEREAS, l'Université catholique de Louvain, having an official place of business at place de l'Université 1, 1348 Louvain-La-Neuve, Belgium, ASSIGNEE, is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:


NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

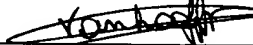
AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 6th day of NOVEMBER, 2001.

Date 06/11/01, 2001  L.S.

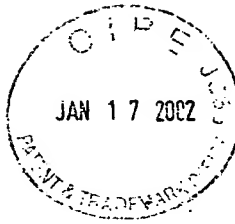
Bernard Hallet

Date 6/11/, 2001 VANHOOF V. 

Witnessed by

Date 6/11, 2001 HOLF P. 

Witnessed by



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stewart et al.

Application No.: 09/895,435

Group Art Unit: To be Assigned

Filed: Herewith

Examiner: To be Assigned

For: A NEW TYROSINE RECOMBINASE FOR
GENETIC ENGINEERING

Attorney Docket No.: 9882-012

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M.

POWER OF ATTORNEY

Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on _____ at reel/frame ____.

☒ is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE:

Signature:

B. Kerber

Typed Name:

Birgit Kerber, PhD

Position/Title:

Head of Intellectual Property Management

Address:

ENBLER GmbH

Bockbergstr. 107

69126 Heidelberg, Germany

Date:

15.01.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stewart et al.

Application No.: To Be Assigned

Group Art Unit: To be Assigned

Filed: Herewith

Examiner: To be Assigned

For: A NEW TYOSINE RECOMBINASE FOR
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Attorney Docket No.: 9882-012

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POWER OF ATTORNEY

35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on _____ at reel/frame _/_____.
☒ is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE:

Signature: _____

Typed Name: _____

Position/Title: _____

Address: _____

Date: _____

MARCELL CERRITO
RECTOR
PLACE DE L'UNIVERSITE 1
1342 LOS ANGELES - CALIFORNIE
BEUGNOT
6/11/2001